

REMARKS

Claims 1 – 142 are pending in the application.

Claim Rejections – 35 USC § 112

Claims 40, 41, 128, and 129 were rejected by the Examiner under 35 U.S.C. 112.

The Examiner argued that the limitation "said direct connection" in these claims lacks a sufficient antecedent basis in each of these claims. Claims these claims depend on are currently amended, so as to include the above limitation.

Favorable reconsideration of this rejection in view of the above amendments is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1-30, 42-45, 49-51, 55-78, 86-89, 92-124, and 133-140 were rejected by the Examiner under 35 U.S.C. 102(e) as being anticipated by Ansell U.S. Patent number 6,151,631.

Favorable reconsideration of this rejection in view of the above amendments and the following explanations is respectfully requested.

As described in its field of invention section, the present invention relates to the field of location filtering including geo-filtering. More specifically but not exclusively, the present invention relates to methods in which an online

distributing entity such as an online shop and/or digital media content distributor can locate, identify and authenticate the regional location of a user, both in geographical and in network topology terms.

Online distribution entities, including digital commercial entities such as online shops, media distributors and/or digital content providers, operate in a global environment that extends very easily to a variety of geographical locations.

Connections via the Internet or any other global electronic network may thus be assisted by the availability of authentic data concerning the identity of the potential user and / or consumer requesting electronic goods.

In this global environment, the information regarding the geographical location of a user or a customer is highly valued, as it bears substantial implications as far as legal considerations, linguistic differences, electronic format differences, and many other aspects are concerned.

The present invention discloses several novel methods and systems for locating a user or customer. None of these methods and systems are disclosed by the prior art cited by the Examiner.

In one aspect, the present invention teaches a novel method and apparatus for locating an Internet gateway used by the user client, using a data gatherer which comprises a request inducer unit for causing the user client to request a

connectible entity from the server, the network node data gatherer being operable to intercept network node data from the Internet gateway following the request. As illustrated by the present invention, using figures 1 and 2, the user client is induced to request a connectible entity, such as a web page, from his Internet Service Provider (ISP) server, thus maneuvering the ISP server to disclose its identity to the operator of the novel method and apparatus, as described in page 26, line 6-page 29 line 2 : "A reference is now made to Fig. 1...to give an output of the location (Physical or topological) of the ISP".

The present invention in a further aspect teaches a novel method and apparatus for locating the customer or user according to his telephone number, utilizing a physical map of the telephone network, usable to correlate a physical location to a telephone number. These novel method and system is illustrated using figure 3, in page 30, line 11: "As illustrated in Fig. 3, the client / consumer 301 contacts the vendor 302, with a request to purchase...and the exchange number is easily derived from a telephone number by taking the first few digits from the number".

In a further aspect, the present invention teaches a novel method and apparatus for locating a software agent at a network access node, to gather data of a receiving client connecting via the node, and to correlate the gathered receiving client data with a network node location map, thereby to provide the client location.

The present invention illustrates this novel method, using figures 5, in page 34, line 16: "Reference is now made to Fig. 5... the particular server of the ISP that the user is using".

Ansell et al. U.S. Patent number 6,151,631 relates to computer networks and in particular to a mechanism for determining a geopolitical territory in which a computer of a wide area network is located. Ansell is mainly concerned with the analysis of domain names, so as to determine their physical location. For example, Ansell describes in page 9, line 20: "In test step 412, resolver 106 (FIG 1) determines whether the last domain name field specifies any number of super-classifications that belong exclusively to the United States. e.g. ".gov", ".mil", ".arpa", and ".edu" which specify super-classifications of government, military, advanced research projects agency, and education respectively. If so the geopolitical territory is determined to be the United States, and the degree of confidence is determined according to the specific super-classification. Super-classifications ".gov", ".mil", and ".arpa" are each associated with a 95% degree of confidence".

Actually, all systems and methods claimed by Ansell rely, at least in part, on the analysis of the domain name. For example, Ansell describes in his claim 1, step (c), in page 18, line 52: "parsing classification information which represents a classification from the custom name".

Ansell neither shows nor hints at a system and method wherein the user client is induced to request a connectible entity, such as a web page, from his ISP server, thus maneuvering the server to disclose his identity in terms of an IP address to the operator of the novel method, as required by claim 1, which is discussed in greater detail below.

Ansell also never suggests or even hints at a method or apparatus for locating a user/customer according to his phone number, utilizing a physical map of the telephone network, usable to correlate a physical location to a telephone number, as explicitly required in combination by present claim 79 which is discussed in greater detail in the 35 USC 103 section below.

Furthermore, Ansell never suggests or even hints at such a method or apparatus for locating a software agent at a network access node, to gather data of a receiving client connecting via the node, and to correlate the gathered receiving client data with a network node location map, thereby to provide the client location, as required by claim 89 which is discussed in greater detail below.

Claim 1 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising: a network node data gatherer for obtaining from the vicinity of the user client network node information, and a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the

user client, wherein the network node location map is a map of the network, and the client network node information is an identification of an Internet gateway used by the user client, and the identification of the Internet gateway is an IP address of the gateway, and wherein the network node data gatherer comprises a request inducer unit for causing the user client to request a connectible entity from the server, and the network node data gatherer is operable to intercept network node data from the Internet gateway following this request.

Ansell never suggests or even hints at such an apparatus for inducing the user client to request a connectible entity, such as a web page, from his ISP server, thus maneuvering the server to disclose his identity to the operator of the novel apparatus, as taught by the present invention and discussed above.

Thus, it is respectfully believed that claim 1 as amended is novel and inventive over the prior art.

Claim 55 defines a method for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the method comprising: obtaining, from the vicinity of the user client, network node information, and correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, causing the user client to request a connectible entity from the server, and intercepting network node data from the Internet gateway following the request, wherein the client network node information is an identification of an

Internet gateway used by the user client, and the identification of the Internet gateway is a DNS of the gateway.

Ansell never suggests or even hints at such a method for inducing the user client to request the connectible entity, such as a web page, from his ISP server, thus maneuvering the server to disclose his identity to the operator of the novel method, as taught by the present invention and discussed above.

Thus, it is respectfully believed that claim 55 is both novel and inventive over the prior.

Claim 89 defines a method for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the method comprising :locating a software agent at a network access node to gather data of a receiving client connecting via said node; obtaining, from the vicinity of the user client, network node information; and correlating the network node information with a network node location map, thereby to provide the server with a location for the user client.

Ansell never suggests or even hints at such a method for locating a software agent at a network access node, to gather data of a receiving client connecting via the node, and to correlate the gathered receiving client data with a network node location map, thereby to provide the client location, as taught in the present invention and discussed above.

Thus, it is respectfully believed that claim 89 is both novel and inventive over the prior art.

Claim 96 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising : a network node data gatherer for obtaining from the vicinity of the user client network node information, and a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, and wherein the network node location map is a map of the network and the client network node information is an identification of an Internet gateway used by the user client, wherein the identification of the Internet gateway is an IP address of the gateway and the network node data gatherer comprises a request inducer unit for causing the user client to request a connectible entity from the server, and wherein the network node data gatherer is operable to intercept network node data from the Internet gateway following the request.

Ansell never suggests or even hints at such an apparatus for inducing the user client to request the connectible entity, such as a web page, from his ISP server, thus maneuvering the server to disclose his identity to the operator of the novel apparatus, as taught by the present invention and discussed above.

Thus, it is respectfully believed that claim 96 is novel and inventive over the prior art.

Claim 138 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising: a network node data gatherer for obtaining from the vicinity of the user client network node information, a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, trace routing functionality for determining a network node distance and route of a user client by sending and attempting to receive response messages having varied time to live values, and a second correlator for correlating between the determined location and the determined network node distance and route, and wherein the network node data gatherer is a software agent for placing at least one of the plurality of nodes.

Ansell never suggests or even hints at such an apparatus for locating a software agent at a network access node, to gather data of a receiving client connecting via the node, and to correlate the gathered receiving client data with a network node location map, thereby to provide the client location, as taught in the present invention and discussed above.

Thus, it is respectfully believed that claim 138 is novel and inventive over the prior art.

Claim 140 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising: a network node data gatherer for obtaining from the vicinity of the user client network node information, and a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, and wherein the network node data gatherer is a software agent for placing at least one of the plurality of nodes.

Ansell never suggests or even hints at such an apparatus for locating a software agent at a network access node, to gather data of a receiving client connecting via the node, and to correlate the gathered receiving client data with a network node location map, thereby to provide the client location, as taught in the present invention and discussed above.

Thus, it is respectfully believed that claim 140 is novel and inventive over the prior art.

The remaining claims mentioned in this section of the Office Action are believed to be allowable as being dependent on an allowable main claim.

Claim Rejections – 35 USC § 103

Claims 31-41, 46-48, 79-85, 90-91, 125-129 and 141-142 were rejected under 35 USC 103(a) as being unpatentable over Ansell et al (US 6,151,631) in view of Mashinsky (US 6,088,436).

Favorable reconsideration of this rejection in view of the above amendments and the following explanations is respectfully requested.

Ansell is as discussed above, and Mashinsky (US 6,088,436) relates to an automatic callback system, as described in page 2, line 64: "It is therefore an object of the present invention to provide automated callback system in which the delay in establishing a connection between a calling party and called party is minimized".

Thus Meshinsky deals with the problem of the delay in establishing a connection between a calling party and a called party, in an automatic callback system, whereas the present invention introduces solutions to a completely different problem, namely, the location of a client user.

Consequently it is maintained that faced with the problem of the present invention, one skilled in the art would not look at Mashinsky, because it does not deal with the same problem. Furthermore, Ansell also does not deal with the problem dealt with by Mashinsky. Thus one skilled in the art, who is faced with the problem of Ansell, would not look at Mashinsky either.

Claim 31 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising: a network node data gatherer for obtaining from the vicinity of the user client network node information, and a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, the network node data gatherer comprising a request for a user telephone number, the apparatus being operable to confirm contact via the telephone number by giving a user an identification for looping using the user client and a connection made using the telephone number. The map comprises a physical map of the telephone network, usable to correlate a physical location to telephone number.

Ansell never suggests or even hints at such an apparatus for locating a user/customer according to his phone number, using a physical map of the telephone network, usable to correlate a physical location to a telephone number, as taught in the present invention and discussed above.

Furthermore, as discussed above, faced with the problem of the present invention, one skilled in the art would not look at Mashinsky for combining it with Ansell, because it does not deal with the same problem. One only realizes the relevance of Mashinsky to the problem after one has already realized the solution.

Thus, it is respectfully believed that claim 31 is not obvious and should be allowed.

Claim 33 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising: a network node data gatherer for obtaining from the vicinity of the user client network node information, and a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, the network node data gatherer comprising a request for the user to contact a telephone number, the apparatus being operable to confirm contact via the telephone number by giving a user an identification for looping back to the apparatus using the user client and a connection made using the telephone number, wherein the map is a physical map of the telephone network, usable to correlate a physical location to a telephone number.

Ansell never suggests or even hints at such an apparatus for locating a user/customer according to his phone number, using a physical map of the telephone network, usable to correlate a physical location to a telephone number, as taught in the present invention and discussed above.

Furthermore, as discussed above, faced with the problem of the present invention, one skilled in the art would not look at Mashinsky for combining it with Ansell, because it does not deal with the same problem. It is only in

hindsight, namely after the problem has already been solved, that its relevance becomes apparent.

Thus, it is respectfully believed that claim 33 is not obvious and should be allowed.

Claim 46 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the apparatus comprising: a network node data gatherer for obtaining from the vicinity of the user client network node information, and a network node data correlator for correlating the network node information with a network node location map, thereby to provide the server with a location for the user client, wherein the network node data gatherer comprises a software agent locatable at a network access node.

Ansell never suggests or even hints at such an apparatus for locating a software agent at a network access node, to gather data of a receiving client connecting via the node, and to correlate the gathered receiving client data with a network node location map, thereby to provide the client location, as taught in the present invention and discussed above.

Furthermore, as discussed above, faced with the problem of the present invention, one skilled in the art would not look at Mashinsky for combining it with Ansell, because it does not deal with the same problem.

Thus, it is respectfully believed that claim 46 is not obvious and should be allowed.

Claim 79 defines a method for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the method comprising: obtaining from the vicinity of the user client, network node information, and correlating the network node information with a network node location map, thereby to provide the server with a location for the user client. The method further comprises making a request for a user telephone number, and being operable to make contact using the telephone number to give the user identification for returning via his client, the map being a physical map usable to correlate a physical location to a telephone number.

Ansell never suggests or even hints at such a method for locating a user/customer according to his phone number, using a physical map of the telephone network, usable to correlate a physical location to a telephone number, as taught in the present invention and discussed above.

Furthermore, as discussed above, faced with the problem of the present invention, one skilled in the art would not look at Mashinsky for combining it with Ansell, because it does not deal with the same problem.

Thus, it is respectfully believed that claim 79 is not obvious and should be allowed.

Claim 80 defines a method for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at different locations, the method comprising : obtaining, from the vicinity of the user client, network node information, and correlating the network node information with a network node location map, thereby to provide the server with a location for the user client. The method further comprising making a request for a user telephone number, the method being operable to verify contact via the telephone number by giving a user an identification via the network for returning via a direct connection using the telephone number, the map being a physical map usable to correlate a physical location to a telephone number.

Ansell never suggests or even hints at such a method for locating a user/customer according to his phone number, using a physical map of the telephone network, usable to correlate a physical location to a telephone number, as taught in the present invention and discussed above.

Furthermore, as discussed above, faced with the problem of the present invention, one skilled in the art would not look at Mashinsky for combining it with Ansell, because it does not deal with the same problem.

Thus, it is respectfully believed that claim 80 is not obvious and should be allowed.

Claim 125 defines an apparatus for determining a location of a user client in an electronic interaction with a server over a network having a plurality of nodes at

different locations, the apparatus comprising: a network node data gatherer comprising a request for a user telephone number, a network node data correlator for correlating said user telephone number with a physical map of the telephone network, the map being usable to correlate a physical location to a telephone number network node location map, thereby to provide the server with a location for the user client, and a digital media distributor associated with the network data correlator and operable to use the location to govern digital media distribution to the user client, the apparatus further comprising an authentication unit being operable to confirm contact via the telephone number by giving a user an identification for looping around the network and the user client and a connection made using the telephone number.

Ansell never suggests or even hints at such a method for locating a user/customer according to his phone number, using a physical map of the telephone network, usable to correlate a physical location to a telephone number, as taught in the present invention and discussed above.

Furthermore, as discussed above, faced with the problem of the present invention, one skilled in the art would not look at Mashinsky for combining it with Ansell, because it does not deal with the same problem.

Thus, it is respectfully believed that claim 31 is not obvious and should be allowed.

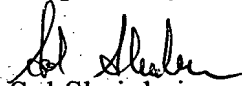
The remaining claims mentioned in this section of the Office Action are believed to be allowable as being dependent on an allowable main claim.

No new matter is added by the present amendments.

All of the matters raised by the Examiner have been dealt with and are believed to have been overcome. In view of the foregoing, it is respectfully submitted that all the claims now pending in the application are allowable.

An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



Sol Sheinbein

Registration No. 25,457

Date: April 25, 2005